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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,982	10/19/2001	Yoshihiro Matsuyama	1573.1009	7504

21171 7590 09/24/2004  
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EXAMINER

TORRES, MARCOS L

ART UNIT PAPER NUMBER

2683

DATE MAILED: 09/24/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-2, 14-15, drawn to Mobile device, classified in class 455, subclass 550.1.
  - II. Claims 3-5, 9-11, 16-17 and 20-21, drawn to Information processing apparatus for mobile networks, classified in class 455, subclass 426.1.
  - III. Claims 6-8, 12-13, 18-19 and 22, drawn to Information processing apparatus, classified in class 709, subclass 218.
  - IV. Claims 23-24, drawn to Content data distribution system, classified in class 455, subclass 414.3.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I, II, III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as Information distribution center. Invention III has separate utility such as router. Invention II has separate utility such as mobile switching center. Invention I has separate utility such as communication device. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. A telephone call was made to H. J. Staas on September 21, 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L Torres whose telephone number is 703-305-1478. The examiner can normally be reached on 8:00am-5:30pm alt. friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William G Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marcos L Torres  
Examiner  
Art Unit 2683

Mlt



**WILLIAM TROST**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**